IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.3069 OF 2005

Dr.(Mrs.)Bakhtawar S. Sethna ...Petitioner
vs.
The Secretary,
St.Xavier's College Society
& Ors. ...Respondents

Mrs.N.Bhagwat for the petitioner
Mr.S.C.Naidu i/b M/s.C.R.Naidu & Co. for respondent Nos.1 & 2

CORAM:H.L.GOKHALE & A.S.OKA,JJ.
DATE : JANUARY 31,2006

P.C.:

1. Heard Mrs.Bhagwat in support of this Petition and Mr.Naidu for Respondent Nos.1 and 2. The Petitioner and respondent No.3 are Professors of Geology in the first Respondent-College. A grievance is made that the son of the Respondent No.3 is going to appear for the examination in Geology in April-May 2006 and therefore, he should not associate with the examination. Mr. Naidu has pointed out that Respondent No.3 has given in writing to the Chairman of the Board of Studies that in accordance with the University rules he should not be considered for nomination to the panel of selectors or the for the appointment of examiners, paper setters or Moderators for the forthcoming B.Sc. examination. This letter is given on 9th January 2006. The college Principal has also filed an Affidavit stating that as far as the practicals are concerned, there is an external examiner and he is being assisted by the internal teachers and Lab

Supervisor. As far as other teachers of Geology from the college are concerned they are Dr.Hrishikesh P. Samant and Dr.Pravin Heuriques. These two teachers and petitioner may associate with the practical examination with which the Respondent No.3 will not associate in any manner whatsoever. Respondent No.3 will not associate himself in any manner whatsoever with the examination or for setting up of the papers or determination of the panel of the examiners of Geology in any manner. This will be for the examination which will be held in March-April 2006.

2. So far as continuation of Respondent No.3 as the head of the department is concerned, in our view that will not be a factor to be considered and need not be disturbed in view of the above arrangement. Petition stands disposed of.

(H.L.GOKHALE,J.)

(ABHAY S.OKA,J.)